

### **Remarks**

Claims 1-13 are presented for the Examiner's review and consideration. Claim 1 has been amended and claims 8-13 have been added. Applicants believe the claim amendments, additions and accompanying remarks herein serve to clarify the present invention and are independent of patentability. No new matter has been added.

#### In the Drawings

The drawings were objected to as failing to comply with 37 CFR, §1.84(a) because they do not include every feature specified in the claims. Specifically, referring to claim 4, line 2, "spacing element" must be shown. Accordingly, Applicants have provided a replacement sheet for Fig. 1 showing the "spacing element" as reference number 99. Additionally, Applicants have amended paragraph [0030] in accordance with the amendment of Fig. 1.

In light of the foregoing, Applicants request reconsideration and withdrawal of the objections to the drawings.

#### 35 U.S.C. §102 Rejection based on Hall

Claims 1-7 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,393,192 to Hall et al. ("Hall"). For the reasons set forth below, Applicants respectfully submit that this rejection should be withdrawn.

Hall discloses a tray mountable under the floor of a vehicle, which tray contains an extendible ramp mechanism. (Abstract). This ramp is fulcrummed intermediate its ends so that the inner end may be tilted upwardly flush with the floor of the vehicle when the ramp has been fully extended. An additional motor means is provided for tilting the ramp. (Col. 1, lns. 24-27). The underfloor ramp 30 is shown in FIG. 1 extending from the outer end of the tray 20 and tilted so that its outer end rests on the curb C and the upper end is tilted to be flush with the floor F of the vehicle V. (Col. 1, lns. 34-37). This pivotal mounting 32 for the ramp 30 located inwardly of

the inner end of the ramp 30 also permits the tilting of the ramp once it is fully extended, so that the inner end of the ramp 30 may be tilted upwardly to be flush with the floor F of the vehicle V as shown in dotted lines in FIG. 4 and in full lines in FIG. 9. (Col. 4, lns. 11-17).

As such, Hall discloses a tray mounted under the floor of a vehicle. The tray includes an extendable ramp which can be tilted such that the outer end rests on a curb. The inner end is fulcrummed so that it may be tilted upward, flush with the floor of the vehicle.

Initially, Hall fails to disclose a load floor, but instead discloses an extendable ramp which is maintained within a tray under the floor. Furthermore, Hall does not disclose a device for lifting the outer end over the loading edge of the vehicle to extend the ramp from the tray. In fact, it would not be possible to lift the outer end of the ramp while extending the ramp from the tray.

In contrast, the present invention discloses a loading apparatus for a vehicle in which a loading floor is provisioned in a loading area of the vehicle, with elements for lifting the loading floor over a loading edge. (Abstract). Loading floor 101 has a spacing element at its end, which is across from the rear seats of the automobile. (§[0031]). This spacing element consists of steering devices 102, which are provisioned on both sides of loading floor 101. (Id.) Drive rollers 103 are located on steering devices 102 and engage guide linkage 104. (Id.) Horizontally running section 107 of the guide linkage connects to section 105 of guide linkage 104. (§[0032]). Section 105 of guide linkage 104 serves to lift loading floor 101 distance 108, which corresponds approximately to thickness 109 of loading floor 101 (drawing not to scale). (Id.)

Loading floor 101 has slant 110 at its other end, which forms angle 111 with the upper side of loading floor 101. (§[0033]). The slant is configured on the face of the loading floor that lies across from the loading edge in the pushed-in state of the loading floor. (§[0015]). When the loading floor is lifted, this slant moves diagonally upwards, whereby the loading floor supports itself on the loading edge with its slant. (Id.) Roll or slide elements are provisioned between the slant and the loading edge that are used when lifting. (Id.)

As such, the present invention discloses a load floor which is raised vertically to clear a load edge of the vehicle. A section of the guide linkage is angled (see Fig. 1) to raise a first end (inner end) of the loading. The second end (outer end) of the loading floor includes a slant which

engages roller to vertically raise the outer end of the loading floor over the loading edge of the vehicle.

Independent claim 1 now recites, *inter alia*, a loading apparatus for a vehicle. The loading apparatus includes a loading floor provisioned in a loading area of the vehicle including elements for lifting an outer edge of the loading floor over a loading edge. The elements for lifting include a slant along the outer edge for supporting the loading floor on the loading edge during lifting, and with guide linkage for the loading floor. A slide element is provisioned in the region of loading edge, and wherein the slide element is effective both when lifting loading floor and when loading floor is moved horizontally out of the loading area of the vehicle.

In light of the foregoing, independent claim 1 is respectfully submitted to be patentable over Hall. As claims 2-7 depend from claim 1 these dependent claims necessarily include all the elements of their base claim. Accordingly, Applicants respectfully submit that the dependent claims are allowable over Hall at least for the same reasons.

#### New Claims

Applicants have added new claims 8-13. Applicants submit that the new claims are supported by the specification and no new matter has been added.


#### Conclusion

In light of the foregoing remarks, this application is now in condition for allowance and early passage of this case to issue is respectfully requested. If any questions remain regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

Applicant: Albrecht et al.  
Application No.: 10/731,887  
Examiner: G. Adams

No fee is believed to be due. However, please charge any required fee (or credit any overpayments of fees) to the Deposit Account of the undersigned, Account No. 500601 (Docket No. 7390-X03-023).

Respectfully submitted,

  
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Enclosures